



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**A. Bart Flick**

Art Unit: **Not Known**

Confirmation No.: **6556**

Serial No: **10/660,209**

Docket No.: **120101-1070**

Filed: **September 11, 2003**

For: Multilayer Conductive Appliance Having Wound Healing and Analgesic Properties

**SECOND REQUEST FOR CORRECTION TO THE FILING RECEIPT**

Commissioner for Patents  
ATTN: Office of Initial Patent Examination  
Customer Service Center  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby advises the Commissioner that the priority claim for the above-identified application should be "This application is a CON of 09/531,245 filed March 21, 2000 which is a CON of PCT/US 98/19689 filed September 22, 1998 which claims priority to U.S. Application No. 08/935,026 filed on September 22, 1997." The filing receipt omits the underlined information.

Applicant has received a Response to the First Request for Corrected Filing Receipt ("the Response") which was mailed on January 14, 2004, a copy of which is attached as Exhibit 1. The Response indicates that the USPTO could not comply with the request without the relationship (continuation, divisional, or continuation-in-part of the priority application). Applicant filed a Preliminary Amendment on September 11, 2003, together with the above referenced application, a copy of which is attached as Exhibit 2.

The Preliminary Amendment amended the specification to include:

This application is a Continuation of pending U.S.  
Application Serial No. 09/531,245 filed on March 21, 2000,  
which is a Continuation of pending prior International  
Application Serial No. PCT/US98/19689 filed on  
September 22, 1998, which claims priority to U.S.



Serial No. 10/660,209

Application Serial No. 08/935,026 filed on September 22,  
1997.

By this paper, Applicant is requesting the ultimate priority document, U.S. Patent Application No. 08/935,026, be included on the priority claim on the Filing Receipt. This priority document was identified in the original specification (See Exhibit 3). Applicant does not understand what additional information is required since the omitted application number is the ultimate priority document.

Applicant respectfully requests that the priority claims be changed accordingly, and that a Corrected Filing Receipt be issued to the undersigned attorney. Applicant encloses a copy of marked up Filing Receipt with the changes to be made (Exhibit 4).

Respectfully submitted,

**Charles Vorndran, Ph.D.**  
Attorney for Applicant  
**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**  
100 Galleria Parkway, Suite 1750  
Atlanta, Georgia 30339-5948

Date: January 29, 2004  
Customer No.: 24504  
Docket: **120101-1070**

CAN



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/660,209	09/11/2003	3761	375	120101.1070	20	20	3

CONFIRMATION NO. 6556

24504

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP  
 100 GALLERIA PARKWAY, NW  
 STE 1750  
 ATLANTA, GA 30339-5948

## FILING RECEIPT



\*OC00000011423836\*

Date Mailed: 12/04/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

A. Bart Flick, Lakemont, GA;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/531,245 03/21/2000  
 which is a CON of PCT/US98/19689 09/22/1998, which claims priority to US Application  
 No. 08/935,026 Filed on September 22, 1997.

## Foreign Applications

If Required, Foreign Filing License Granted: 12/04/2003

Projected Publication Date: 03/11/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Multilayer conductive appliance having wound healing and analgesic properties

THOMAS, KAYDEN  
 HORSTEMEYER & RISLEY, LLP

DEC 08 2003

Preliminary Class

602

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

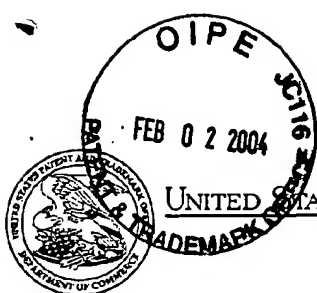
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/660,209	09/11/2003	A. Bart Flick	120101.1070

CONFIRMATION NO. 6556

24504

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP  
 100 GALLERIA PARKWAY, NW  
 STE 1750  
 ATLANTA, GA 30339-5948



\*OC000000011688540\*

Date Mailed: 01/14/2004

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

### Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☒ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

THOMAS, KAYDEN  
 HORSTEMEYER & RISLEY, LLP

JAN 15 2004



☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.

☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

Alayne W. Legesse  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY